

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	<b>STATEMENT OF FEES &amp;</b>
-and-	:	<b>EXPENSES</b>
	:	
THE VULCAN SOCIETY, INC., for itself and on behalf of	:	<b>07-cv-2067 (NGG)(RLM)</b>
its members, and MARCUS HAYWOOD, CANDIDO	:	
NUÑEZ and ROGER GREGG, individually and on behalf	:	
of a class of all others similarly situated,	:	
	:	
Plaintiffs-Intervenors,	:	
	:	
-against-	:	
	:	
THE CITY OF NEW YORK,	:	
	:	
Defendant.	:	
-----X	:	

MARY JO WHITE, Special Master.

This second Statement of Fees and Expenses is submitted in accordance with the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order") (Dkt. No. # 448, ¶ 14). The Appointment Order requires that:

Every 60 days, the Special Master shall submit to the court an itemized statement of fees and expenses, which the court will inspect for regularity and reasonableness. If the court determines the itemized statement is regular and reasonable, the court will sign it and transmit it to the parties. The City shall then remit to the Special Master any court-approved amount, within 20 calendar days of court approval.

(*Id.*)

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. On July 30, 2010, the Special Master submitted her first Statement of Fees and Expenses for the period of June 1, 2010 through July 31, 2010, for incurred expenses totaling \$5,728.38. (Dkt. No. 504). For the period August 1, 2010 through September 27, 2010, the expenses incurred by the Special Master are \$3,703.31.<sup>1</sup> An itemized list of the expenses is attached as Exhibit 1.

In addition, this statement includes the fees and expenses of the Special Master's expert for the month of August. For August, Dr. Pittman's fees were \$6,687.50, and her expenses were \$320.84, totaling \$7,008.34. The fees of \$6,687.50 fall at the low-end of the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519). An invoice for Dr. Pittman's fees and expenses is attached hereto as Exhibit 2.

Accordingly, the total expenses for the Special Master's work for this period were \$10,711.66. We respectfully request that that Court approve all of these expenses.

/s/ Mary Jo White

Mary Jo White

Dated: September 28, 2010

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<sup>1</sup> These expenses include a July 27, 2010 charge for duplicating in the amount of \$98.60 that was not included in the first Statement of Expenses and Fees (Dkt. No. 504).

## **Exhibit 1**

DEBEVOISE & PLIMPTON LLP

919 Third Avenue  
New York, NY 10022  
Tel 212 909 6000  
Fax 212 909 6836  
www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master  
Appointment***

09/27/2010

*Disbursements and Charges itemized for the period August 1, 2010 to September 27, 2010.*

***Breakdown of Charges and Disbursements***

<u>Description</u>	<u>Amount</u>
Duplicating	\$185.20
Outside Copying	\$1,814.80
Word Processing	\$103.03
Telephone Toll Calls	\$2.26
AT&T TeleConference Services	\$140.21
Westlaw Services	\$85.25
Court Reporter Fees	\$1,276.50
Late Night Transportation	\$96.06
<b>Matter Total</b>	<b>\$3,703.31</b>

## **Exhibit 2**

Invoice for Services from:

**The Pittman McLenagan Group, L.C.**

6626-A Wilson Lane  
Bethesda, MD 20817  
301.320.9500

Invoice to:  
Philip A. Fortino  
Debevoise & Plimpton LLP  
919 Third Avenue  
New York, New York 10022

**Billing Hours for Client: NYC v US**  
Aug-10

<b>Project:</b>	Testing Program
<b>Invoice #:</b>	PHITP Aug-10
<b>Terms:</b>	Net 15
<b>Inv. Date:</b>	9/7/2010
<b>Please Remit this Amount:</b>	<b>\$7,008.34</b>
<b>Remit to:</b>	<b><u>The Pittman McLenagan Group, L.C.</u></b> 6626-A Wilson Lane Bethesda, MD 20817

Date	Project Description	Hours	Cost
8/3/2010	Reviewing documents needed	0.25	\$62.50
8/5/2010	Reviewing 6019 decision	1.50	\$375.00
8/10/2010	Review of confidentiality orders	0.25	\$62.50
8/10/2010	Reviewing prior tests	1.50	\$375.00
8/16/2010	Review of issues for 8/20 mtg	1.00	\$250.00
8/16/2010	Review of PSI proposal	0.75	\$187.50
8/16/2010	Review of various documents	1.00	\$250.00
8/17/2010	Preparing for conference call/review c	0.50	\$125.00
8/18/2010	Review of union letters and material	0.50	\$125.00
8/19/2010	Conference call	0.25	\$62.50
8/19/2010	Reviewing documents in preparation f	6.00	\$1,500.00
8/20/2010	Meeting in NYC with all parties	4.50	\$1,125.00
8/24/2010	Review and comparison of mtg notes	0.25	\$62.50
8/24/2010	Read referenced article	0.75	\$187.50
8/24/2010	call with P. Fortino	0.50	\$125.00
8/25/2010	NYC experts call with PSI, Jones	1.50	\$375.00
8/25/2010	Review of materials from PSI	0.50	\$125.00
8/25/2010	Review of job analysis report	0.50	\$125.00
8/27/2010	Review agenda/job analysis plan/sche	0.75	\$187.50
8/27/2010	Weekly call	2.25	\$562.50
8/31/2010	Review of plan from PSI	1.00	\$250.00
8/31/2010	Review of Cline task list	0.75	\$187.50
			\$0.00
			\$0.00
			\$0.00
			\$0.00
			\$0.00
<b>Subtotal</b>		<b>26.75</b>	<b>\$6,687.50</b>
<b>Expenses</b>			<b>320.84</b>
<b>Total</b>			<b>\$7,008.34</b>